

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE**  
**BOARD OF PATENT APPEALS AND INTERFERENCES**

Appellant: Stinson, J.

Examiner: Sweet, Thomas

Application No.: 10/721,702

Group Art Unit: 3738

Filed: November 25, 2003

Docket: 792-64 DIV II

For: BIOABSORBABLE ENDOPROSTHESIS  
HAVING ELONGATE AXIAL RESERVOIR FOR  
BY-PRODUCT COLLECTION

Dated: March 11, 2008

Confirmation No.: 6272

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate of EFS-Web Transmission**

I hereby certify that this correspondence is being transmitted  
to the U.S. Patent and Trademark Office via the Office's  
electronic filing system

Dated: March 11, 2008

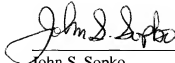
Signature K. Goodhand / *K. Goodhand*

**RESPONSE TO THE NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

Sir:

The Appellant has received a Notification of a Non-Compliant Appeal Brief, dated February 28, 2008. This Response correctly states the status of an amendment filed subsequent to the final rejection. Further, the Notification of a Non-Compliant Appeal Brief specifically stated that the entire Appeal Brief need not be refilled, but only the section effected needs to be filed. Accordingly, Section IV, i.e., "Status of Amendments" has been amended, and only this section is provided herewith.

Respectfully submitted,



John S. Sopko  
Registration No.: 41,321  
Attorney for Appellant

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York 11791  
(973) 331-1700

Appellant: Stinson, J.  
Application No.: 10/721,702  
Filing Date: November 25, 2003  
Docket No.: 792-64 DIV II  
Page 2

**IV. Status of Amendments**

In response to the final rejection mailed February 20, 2007, an Amendment and Response Pursuant to 37 C.F.R. §1.116 was filed on April 20, 2007. An Advisory Action dated May 18, 2007 stated that the claim amendment presented in the Amendment and Response Pursuant to 37 C.F.R. §1.116 was not entered by the Examiner. A Notice of Appeal was filed on June 14, 2007 without further amendments. In addition, no further amendments have been presented after the filing of this appeal.